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AUG 29 2002

OFFICE OF PETITIONS

In re Application of :
Donald L. Schilling : DECISION ACCORDING STATUS
Application No. 09/843,520 : UNDER 37 CFR 1.47(b)
Filed: 27 April, 2001 :
Attorney Docket No. 1-2-32.3US :
:

This is in response to the thrice renewed petition under 37 CFR 1.47(b) filed on 12 July, 2002.

The petition is **GRANTED**.

Petitioner has shown that a copy of the application was mailed to the non-signing inventor. The inventor, however, orally refused to sign the declaration during a telephone conversation with petitioner's counsel, registered patent attorney Jeffrey M. Glabicki. Additionally, petitioners have shown proprietary interest by providing a copy of the employment agreement between the non-signing inventor and Rule 47(b) applicant. Lastly, petitioner has submitted a declaration in compliance with 37 CFR 1.63 and 1.64 and has demonstrated that such action is necessary to prevent irreparable damage.

This application and papers have been reviewed and found in compliance with 37 CFR 1.47(b). This application is hereby accorded Rule 1.47(b) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor. Notice of the filing of this application will also be published in the Official Gazette.

The application file is being forwarded to Technology Center 2600 for examination in due course.

Telephone inquiries regarding this communication should be directed to the undersigned at 703.308.6918.



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for Patent Examination Policy